

UNOFFICIAL VERSION

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WEDNESDAY, MARCH 28, 2018

SIXTY-FOURTH LEGISLATIVE DAY

CALL TO ORDER

The Senate met at 8:30 a.m., and was called to order by Mr. Speaker McNally.

PRAYER

The proceedings were opened with prayer by Brother Stephen Sutton of Bishop Street Church of Christ in Union City, Tennessee, a guest of Senator Jackson.

PLEDGE OF ALLEGIANCE

Senator Jackson led the Senate in the Pledge of Allegiance to the Flag.

SALUTE TO THE FLAG OF TENNESSEE

Senator Jackson led the Senate in the Salute to the Flag of Tennessee.

ROLL CALL

The roll call was taken with the following results:

Present 32

Senators present were: Bailey, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Green, Gresham, Haile, Harris, Hensley, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg, Massey, Niceley, Norris, Pody, Reeves, Roberts, Southerland, Stevens, Swann, Tate, Watson, Yager, Yarbro and Mr. Speaker McNally--32.

STANDING COMMITTEE REPORTS

FINANCE, WAYS AND MEANS

MR. SPEAKER: Your Committee on Finance, Ways and Means begs leave to report that we have carefully considered and recommend for passage: Senate Bills Nos. 270 with amendment, 1781 with amendment, 1949 with amendment, 2156 and 2255; and House Joint Resolution No. 729.

WATSON, Chairperson
March 27, 2018

The Speaker announced that he had referred Senate Bills Nos. 270 with amendment, 1781 with amendment, 1949 with amendment, 2156 and 2255; and House Joint Resolution No. 729 to the Committee on Calendar.

STATE AND LOCAL GOVERNMENT

MR. SPEAKER: Your Committee on State and Local Government begs leave to report that we have carefully considered and recommend for passage: Senate Bills Nos. 787 with amendment,

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793 with amendment, 1399 with amendment, 2184, 2205 with amendment, 2420, 2421, 2457 and 2628; also, recommend that Senate Bills Nos. 2201 with amendment and 2287 be referred to Committee on Finance, Ways and Means.

YAGER, Chairperson
March 27, 2018

The Speaker announced that he had referred Senate Bills Nos. 787 with amendment, 793 with amendment, 1399 with amendment, 2184, 2205 with amendment, 2420, 2421, 2457 and 2628 to the Committee on Calendar.

The Speaker announced that he had referred Senate Bills Nos. 2201 with amendment and 2287 to the Committee on Finance, Ways and Means.

JUDICIARY

MR. SPEAKER: Your Committee on Judiciary begs leave to report that we have carefully considered and recommend for passage: Senate Bills Nos. 900 with amendment, 1133 with amendment, 1512 with amendment, 1602 with amendment, 2002, 2063 with amendment, 2132, 2170, 2268 with amendment, 2307 with amendment, 2418 with amendment, 2426, and 2677 with amendment; also, recommend that Senate Bills Nos. 492 with amendment, 1974 with amendment, 1999 with amendment, 2037 with amendment and 2626 be referred to Committee on Finance, Ways and Means.

KELSEY, Chairperson
March 27, 2018

The Speaker announced that he had referred Senate Bills Nos. 900 with amendment, 1133 with amendment, 1512 with amendment, 1602 with amendment, 2002, 2063 with amendment, 2132, 2170, 2268 with amendment, 2307 with amendment, 2418 with amendment, 2426 and 2677 with amendment to the Committee on Calendar.

The Speaker announced that he had referred Senate Bills Nos. 492 with amendment, 1974 with amendment, 1999 with amendment, 2037 with amendment and 2626 to the Committee on Finance, Ways and Means.

MOTION

Senator Norris moved, pursuant to Rule 32 and Article II, Section 18 of the Constitution of the State of Tennessee, **Senate Bills Nos. 2749 and 2750** be passed on first consideration, which motion prevailed.

INTRODUCTION OF BILLS

The Speaker announced the following bills were filed for introduction and passed first consideration:

Senate Bill No. 2749 by Senator Swann.

Blount County -- Subject to local approval, repeals local regulation of the possession, storage, use, manufacture, and sale of pyrotechnics in the county. Amends Chapter 589 of the Private Acts of 1949.

Senate Bill No. 2750 by Senator Bailey.

Taxes, Hotel/Motel -- As introduced, authorizes the City of Crossville to levy a privilege tax upon the privilege of occupancy by a two-thirds vote of its governing body.

MOTION

Senator Norris moved, pursuant to Rule 32 and Article II, Section 18 of the Constitution of the State of Tennessee, **House Bills Nos. 1485, 1625, 1671, 1888, 1966, 2080, 2195, 2250, 2279, 2304, 2323, 2439, 2444, 2464, 2524, 2606, 2696, 2697, 2698 and 2701** be passed on first consideration, which motion prevailed.

HOUSE BILLS ON FIRST CONSIDERATION

The Speaker announced the following House Bills were transmitted to the Senate and passed first consideration:

House Bill No. 1485 -- Tattoos and Piercings -- As introduced, authorizes a tattoo artist to perform tattoo removal only as permitted by rules promulgated by the department of health. Amends TCA Section 62-38-209.

House Bill No. 1625 -- Sunset Laws -- As introduced, extends the department of intellectual and developmental disabilities for four years to June 30, 2022; requires the department to report back to the committee concerning the findings in its 2017 performance audit report. Amends TCA Title 4, Chapter 29 and Title 4, Chapter 3.

House Bill No. 1671 -- Consumer Protection -- As introduced, for purposes of the debt counseling services offered by a provider of debt-management services, expands definition of "certified counselor" to include individuals certified by a training program or certifying organization that is accepted by another state in which the provider is licensed; makes other related revisions to the Uniform Debt-Management Services Act. Amends TCA Title 47, Chapter 18, Part 55.

House Bill No. 1888 -- Schools, Charter -- As introduced, authorizes the comptroller of the treasury to audit charter management organizations (CMOs); requires all CMOs operating a charter school in this state to file an annual financial report with the comptroller of the treasury no later than August 31 of each year. Amends TCA Title 49.

House Bill No. 1966 -- Administrative Procedure (UAPA) -- As introduced, prohibits boards, commissions, and other multi-member governmental entities from promulgating rules or issuing other internal restrictions that infringe on an entity member's freedom of speech. Amends TCA Title 4, Chapter 29, Part 1.

House Bill No. 2080 -- Professions and Occupations -- As introduced, creates a voluntary certification process for persons who obtain at least 50 hours of training and pass an exam in order to use the title "certified animal massage therapist"; noncertified persons can perform animal massage therapy but cannot use the title; anyone who practices animal massage therapy must post a \$25,000 bond. Amends TCA Title 63, Chapter 12.

House Bill No. 2195 -- Local Government, General -- As introduced, prohibits local governments from adopting or enforcing regulations that prohibit or restrict the display of a flag on a property owner's property except when necessary to promote public health and safety. Amends TCA Title 5, Chapter 5; Title 6, Chapter 54 and Title 13, Chapter 7.

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House Bill No. 2250 -- Taxes, Sales -- As introduced, extends the deadline by which a distressed rural county must apply to be eligible to retain the sales and use tax generated from a commercial development district from December 31, 2016, to December 31, 2020. Amends TCA Title 67, Chapter 6.

House Bill No. 2279 -- Telecommunications -- As introduced, enacts the "Competitive Wireless Broadband Investment, Deployment, and Safety Act of 2018". Amends TCA Title 13.

House Bill No. 2304 -- Workers' Compensation -- As introduced, removes the termination date on the recovery of attorney fees and other costs against an employer in a workers' compensation action who wrongfully denies a claim by filing a timely notice of denial and then the workers' compensation judge subsequently makes a finding that such benefits were owed at an expedited hearing or compensation hearing. Amends TCA Section 50-6-102 and Section 50-6-226.

House Bill No. 2323 -- Sexual Offenders -- As introduced, allows a sexual offender whose victim was a minor to obtain sexual offender treatment in a location that is within 1,000 feet of a school, child care facility, public park, playground, recreation center, or public athletic field. Amends TCA Title 40, Chapter 39, Part 2.

House Bill No. 2439 -- Landlord and Tenant -- As introduced, specifies that tenant must provide written notice to landlord when changing an email address at which the tenant agrees to receive notice from the landlord. Amends TCA Title 4, Chapter 21; Title 13, Chapter 20; Title 33; Title 39; Title 44, Chapter 17; Title 44, Chapter 8, Part 4 and Title 66.

House Bill No. 2444 -- Children's Services, Dept. of -- As introduced, extends from 30 days to 40 days the period of advance notice that licensed child-placing agencies and licensed clinical social workers must provide the department before increasing fees charged to prospective adoptive parents. Amends TCA Title 36.

House Bill No. 2464 -- Firearms and Ammunition -- As introduced, allows current or former members of the national guard and the military reserve forces to obtain handgun permit at age 18; makes consistent the effect that restoration of citizenship has upon the possession and purchase of firearms and the obtaining of a handgun carry permit. Amends TCA Title 39, Chapter 17, Part 13.

House Bill No. 2524 -- Business and Commerce -- As introduced, authorizes the secretary of state to provide for the electronic submission of documents filed with the secretary by limited liability companies. Amends TCA Title 48, Chapter 249.

House Bill No. 2606 -- Child Abuse -- As introduced, requires the department of children's services to develop instructional guidelines for child safety training programs for members of professions that frequently deal with children who may be at risk of abuse; requires certain licensing boards to create child safety training programs; requires certain professionals to complete the appropriate child safety training program prior to license renewal. Amends TCA Title 37, Chapter 1, Part 4; Title 49, Chapter 5, Part 1; Title 63, Chapter 23; Title 63, Chapter 6, Part 2; Title 63, Chapter 7, Part 1 and Title 63, Chapter 9.

House Bill No. 2696 -- School Districts, Special -- As introduced, pursuant to the request of the Franklin special school district of Williamson County, permits the district to issue bonds or notes in an amount not to exceed \$26.5 million and to issue bond anticipation notes. Amends Chapter 563 of the Private Acts of 1949.

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House Bill No. 2697 -- Decatur County -- Subject to local approval, abolishes the Decatur County Democratic Party Executive Committee. Repeals Chapter 335 of the Private Acts of 1957; as amended.

House Bill No. 2698 -- Perry County -- Subject to local approval, authorizes the establishment of salary policies and scales for departments of the county; authorizes the appointment of a chief accountant and a budget director.

House Bill No. 2701 -- Lewis County -- Subject to local approval, changes, from \$40 per day to \$50 per month, the compensation for members of the County Highway Advisory Commission; reduces, from \$300 to \$200 per month, the compensation for the chairman of the County Highway Advisory Commission. Amends Chapter 395 of the Private Acts of 1937; as amended.

MOTION

Senator Norris moved, pursuant to Rule 33 and Article II, Section 18 of the Constitution of the State of Tennessee, that **Senate Bill No. 2748** be passed on second consideration and be referred to the appropriate committee or held on the Clerk's desk, which motion prevailed.

SENATE BILL ON SECOND CONSIDERATION

The Speaker announced the following bill passed second consideration and was referred to the appropriate committee or held on the Clerk's desk:

Senate Bill No. 2748 Local bill -- held on desk.

MOTION

Senator Norris moved, pursuant to Rule 21, **Senate Joint Resolutions Nos. 802 through 816**; and **Senate Resolutions Nos. 178 through 180** be passed on first consideration and lie over, which motion prevailed.

INTRODUCTION OF RESOLUTIONS

The Speaker announced the following resolutions were filed for introduction. Pursuant to Rule 21, the resolutions lie over.

Senate Joint Resolution No. 802 by Senator Massey.
Memorials, Retirement -- Reverend John Wood.

Senate Joint Resolution No. 803 by Senator Hensley.
Memorials, Recognition -- Cathy Dyer.

Senate Joint Resolution No. 804 by Senator Hensley.
Memorials, Interns -- Allison Wilson.

Senate Joint Resolution No. 805 by Senator Roberts.
Memorials, Recognition -- Jessica Epley.

Senate Joint Resolution No. 806 by Senators Roberts and Yarbro.
Memorials, Sports -- Lipscomb University men's basketball team.

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Senate Joint Resolution No. 807 by Senators Yarbrow and Kyle.
Memorials, Public Service -- Senator Lee Harris.

Senate Joint Resolution No. 808 by Senator Crowe.
Memorials, Recognition -- Dawn of Hope, 50th Anniversary.

Senate Joint Resolution No. 809 by Senator Crowe.
Memorials, Interns -- Catherine DeBell.

Senate Joint Resolution No. 810 by Senator Pody.
Memorials, Academic Achievement -- Mallory Skye Owens, Salutatorian, Macon County High School.

Senate Joint Resolution No. 811 by Senator Pody.
Memorials, Academic Achievement -- Kammie Marie Yates, Valedictorian, Macon County High School.

Senate Joint Resolution No. 812 by Senator Tate.
Memorials, Sports -- Hamilton High School boys' basketball team, TSSAA Class AA State Champions.

Senate Joint Resolution No. 813 by Senator Gresham.
Memorials, Death -- Nell Juanita Rogers Atkeison.

Senate Joint Resolution No. 814 by Senator Gresham.
Memorials, Death -- Dwana Pusser Garrison.

Senate Joint Resolution No. 815 by Senator Gresham.
Memorials, Death -- Herbert Ray Myers.

Senate Joint Resolution No. 816 by Senator Gresham.
Memorials, Death -- Doyle Murphy.

Senate Resolution No. 178 by Senator Tate.
Memorials, Recognition -- African-American soldiers who died at Fort Pillow.

Senate Resolution No. 179 by Senator Gresham.
Memorials, Recognition -- Ed White.

Senate Resolution No. 180 by Senator Gresham.
Memorials, Death -- Richard Lee Lusk.

MOTION

Senator Norris moved, pursuant to Rule 21, **House Joint Resolutions Nos. 872, 905, 912, 915, 956 through 983 and 984; Senate Joint Resolutions Nos. 787 through 801** lie over and be referred to the appropriate committees or held on the Clerk's desk, which motion prevailed.

RESOLUTIONS LYING OVER

The Speaker announced the following resolutions passed second consideration and were referred to the appropriate committees or held on the desk, pursuant to Rule 21:

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House Joint Resolution No. 872 -- Memorials, Public Service -- Representative Tilman Goins.

The Speaker announced that he had referred House Joint Resolution No. 872 to the Committee on Calendar.

House Joint Resolution No. 905 -- Memorials, Public Service -- Representative Kevin Brooks.

The Speaker announced that he had referred House Joint Resolution No. 905 to the Committee on Calendar.

House Joint Resolution No. 912 -- Memorials, Public Service -- Representative JoAnne Favors.

The Speaker announced that he had referred House Joint Resolution No. 912 to the Committee on Calendar.

House Joint Resolution No. 915 -- Memorials, Public Service -- Representative Craig Fitzhugh.

The Speaker announced that he had referred House Joint Resolution No. 915 to the Committee on Calendar.

House Joint Resolution No. 956 -- Memorials, Death -- Sarah Jean Cunningham.

The Speaker announced that he had referred House Joint Resolution No. 956 to the Committee on Calendar.

House Joint Resolution No. 957 -- Memorials, Sports -- University of Tennessee Volunteers men's basketball team.

The Speaker announced that he had referred House Joint Resolution No. 957 to the Committee on Calendar.

House Joint Resolution No. 958 -- Memorials, Recognition -- Bryan Merritt, TSEA president.

The Speaker announced that he had referred House Joint Resolution No. 958 to the Committee on Calendar.

House Joint Resolution No. 959 -- Memorials, Academic Achievement -- Lindsey Truelove, Valedictorian, Hampshire Unit School.

The Speaker announced that he had referred House Joint Resolution No. 959 to the Committee on Calendar.

House Joint Resolution No. 960 -- Memorials, Academic Achievement -- Cameron Troutman, Salutatorian, Hampshire Unit School.

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The Speaker announced that he had referred House Joint Resolution No. 960 to the Committee on Calendar.

House Joint Resolution No. 961 -- Memorials, Academic Achievement -- Alexa Cathey, Top Ten Senior, Hampshire Unit School.

The Speaker announced that he had referred House Joint Resolution No. 961 to the Committee on Calendar.

House Joint Resolution No. 962 -- Memorials, Academic Achievement -- Danny Grooms, Top Ten Senior, Hampshire Unit School.

The Speaker announced that he had referred House Joint Resolution No. 962 to the Committee on Calendar.

House Joint Resolution No. 963 -- Memorials, Academic Achievement -- Cade Jones, Top Ten Senior, Hampshire Unit School.

The Speaker announced that he had referred House Joint Resolution No. 963 to the Committee on Calendar.

House Joint Resolution No. 964 -- Memorials, Academic Achievement -- Kelsie Vaughan, Top Ten Senior, Hampshire Unit School.

The Speaker announced that he had referred House Joint Resolution No. 964 to the Committee on Calendar.

House Joint Resolution No. 965 -- Memorials, Academic Achievement -- Hunter Fender, Top Ten Senior, Hampshire Unit School.

The Speaker announced that he had referred House Joint Resolution No. 965 to the Committee on Calendar.

House Joint Resolution No. 966 -- Memorials, Academic Achievement -- Liam Kelly, Top Ten Senior, Hampshire Unit School.

The Speaker announced that he had referred House Joint Resolution No. 966 to the Committee on Calendar.

House Joint Resolution No. 967 -- Memorials, Academic Achievement -- Brittany Stewart, Top Ten Senior, Hampshire Unit School.

The Speaker announced that he had referred House Joint Resolution No. 967 to the Committee on Calendar.

House Joint Resolution No. 968 -- Memorials, Academic Achievement -- David Kirk Whiteside, Top Ten Senior, Hampshire Unit School.

The Speaker announced that he had referred House Joint Resolution No. 968 to the Committee on Calendar.

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House Joint Resolution No. 969 -- Memorials, Academic Achievement -- Matthew Spellman, Salutatorian, Roane County High School.

The Speaker announced that he had referred House Joint Resolution No. 969 to the Committee on Calendar.

House Joint Resolution No. 970 -- Memorials, Academic Achievement -- Madison Pearson, Valedictorian, Roane County High School.

The Speaker announced that he had referred House Joint Resolution No. 970 to the Committee on Calendar.

House Joint Resolution No. 971 -- Memorials, Academic Achievement -- Autumn Bowling, Salutatorian, Roane County High School.

The Speaker announced that he had referred House Joint Resolution No. 971 to the Committee on Calendar.

House Joint Resolution No. 972 -- Memorials, Academic Achievement -- Megan Ellison, Salutatorian, Roane County High School.

The Speaker announced that he had referred House Joint Resolution No. 972 to the Committee on Calendar.

House Joint Resolution No. 973 -- Memorials, Academic Achievement -- Annaleigha Benoit, Salutatorian, Rhea County Academy.

The Speaker announced that he had referred House Joint Resolution No. 973 to the Committee on Calendar.

House Joint Resolution No. 974 -- Memorials, Academic Achievement -- Emily Elaine Stumbo, Valedictorian, Rhea County High School.

The Speaker announced that he had referred House Joint Resolution No. 974 to the Committee on Calendar.

House Joint Resolution No. 975 -- Memorials, Academic Achievement -- Cody Alexander Levi, Salutatorian, Rhea County High School.

The Speaker announced that he had referred House Joint Resolution No. 975 to the Committee on Calendar.

House Joint Resolution No. 976 -- Memorials, Academic Achievement -- Hannah Keylon, Valedictorian, Rhea County Academy.

The Speaker announced that he had referred House Joint Resolution No. 976 to the Committee on Calendar.

House Joint Resolution No. 977 -- Memorials, Retirement -- Pam Hurst.

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The Speaker announced that he had referred House Joint Resolution No. 977 to the Committee on Calendar.

House Joint Resolution No. 978 -- Memorials, Personal Occasion -- Robert C. McVicker, 100th Birthday.

The Speaker announced that he had referred House Joint Resolution No. 978 to the Committee on Calendar.

House Joint Resolution No. 979 -- Memorials, Academic Achievement -- Brenna G. Giese, Valedictorian, Dickson County High School.

The Speaker announced that he had referred House Joint Resolution No. 979 to the Committee on Calendar.

House Joint Resolution No. 980 -- Memorials, Academic Achievement -- Rachel H. Faulks, Salutatorian, Dickson County High School.

The Speaker announced that he had referred House Joint Resolution No. 980 to the Committee on Calendar.

House Joint Resolution No. 981 -- Memorials, Recognition -- TriStar Horizon Medical Center of Dickson's Medical Surgical Unit.

The Speaker announced that he had referred House Joint Resolution No. 981 to the Committee on Calendar.

House Joint Resolution No. 982 -- Memorials, Recognition -- Kurdish community of Nashville.

The Speaker announced that he had referred House Joint Resolution No. 982 to the Committee on Calendar.

House Joint Resolution No. 983 -- Memorials, Recognition -- Dr. William H. McHorris.

The Speaker announced that he had referred House Joint Resolution No. 983 to the Committee on Calendar.

House Joint Resolution No. 994 -- Memorials, Death -- Dr. George W. Smith.

The Speaker announced that he had referred House Joint Resolution No. 994 to the Committee on Calendar.

Senate Joint Resolution No. 787 -- Memorials, Recognition -- Trooper Michael Loftis, Trooper of the Year.

The Speaker announced that he had referred Senate Joint Resolution No. 787 to the Committee on Calendar.

Senate Joint Resolution No. 788 -- Memorials, Academic Achievement -- Annalise M. Wallace, Salutatorian, Cumberland County High School.

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The Speaker announced that he had referred Senate Joint Resolution No. 788 to the Committee on Calendar.

Senate Joint Resolution No. 789 -- Memorials, Academic Achievement -- Vasilis Drainas, Valedictorian, Cumberland County High School.

The Speaker announced that he had referred Senate Joint Resolution No. 789 to the Committee on Calendar.

Senate Joint Resolution No. 790 -- Memorials, Academic Achievement -- Clare Kemmer, Salutatorian, Stone Memorial High School.

The Speaker announced that he had referred Senate Joint Resolution No. 790 to the Committee on Calendar.

Senate Joint Resolution No. 791 -- Memorials, Academic Achievement -- Jordan Ann Houston, Valedictorian, Stone Memorial High School.

The Speaker announced that he had referred Senate Joint Resolution No. 791 to the Committee on Calendar.

Senate Joint Resolution No. 792 -- Memorials, Personal Achievement -- Joshua Sonnenmeier, Eagle Scout.

The Speaker announced that he had referred Senate Joint Resolution No. 792 to the Committee on Calendar.

Senate Joint Resolution No. 793 -- Memorials, Personal Achievement -- William Sullivan, Eagle Scout.

The Speaker announced that he had referred Senate Joint Resolution No. 793 to the Committee on Calendar.

Senate Joint Resolution No. 794 -- Memorials, Recognition -- Don Hamilton, Governor's Volunteer Stars Award.

The Speaker announced that he had referred Senate Joint Resolution No. 794 to the Committee on Calendar.

Senate Joint Resolution No. 795 -- Memorials, Recognition -- Cameron Hamilton, Governor's Volunteer Stars Award.

The Speaker announced that he had referred Senate Joint Resolution No. 795 to the Committee on Calendar.

Senate Joint Resolution No. 796 -- Memorials, Death -- Mayor John Coombs.

The Speaker announced that he had referred Senate Joint Resolution No. 796 to the Committee on Calendar.

Senate Joint Resolution No. 797 -- Memorials, Recognition -- Lonnie Keith Head.

The Speaker announced that he had referred Senate Joint Resolution No. 797 to the Committee on Calendar.

Senate Joint Resolution No. 798 -- Memorials, Recognition -- Tom Strate, Silver Beaver Award.

The Speaker announced that he had referred Senate Joint Resolution No. 798 to the Committee on Calendar.

Senate Joint Resolution No. 799 -- Memorials, Academic Achievement -- Jansen Carver, Valedictorian, McClain Christian Academy.

The Speaker announced that he had referred Senate Joint Resolution No. 799 to the Committee on Calendar.

Senate Joint Resolution No. 800 -- Memorials, Sports -- Freed-Hardeman University women's basketball team.

The Speaker announced that he had referred Senate Joint Resolution No. 800 to the Committee on Calendar.

Senate Joint Resolution No. 801 -- Memorials, Sports -- Dale Neal, Coach of the Year.

The Speaker announced that he had referred Senate Joint Resolution No. 801 to the Committee on Calendar.

NOTICES

COMMITTEE ON CALENDAR'S SECOND REPORT ON QUALIFIED ANNUAL EVENTS FOR 2018-2019

Pursuant to Rule 76(1), the report was received and filed with the Clerk.

MESSAGE FROM THE HOUSE

March 26, 2018

MR. SPEAKER: I am directed to return to the Senate, Senate Bill No. 1789, substituted for House Bill on same subject, amended, and passed by the House.

TAMMY LETZLER,
Chief Clerk

CALENDAR

Senate Bill No. 2312 -- TennCare -- As introduced, requires TennCare to establish a procedure that allows recipients under the age of 18 to reapply for TennCare online without requiring any paper forms; requires implementation of this procedure no later than November 1, 2018. Amends TCA Title 71.

Senator Crowe moved to amend as follows:

AMENDMENT NO. 1

AMEND by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 71, Chapter 3, Part 11, is amended by adding the following language as a new, appropriately designated section:

As a part of the process for redetermining an enrollee's eligibility for the program, the department shall establish a procedure that sends an email notice to the enrollee, or the parent or guardian of the enrollee, that the enrollee must redetermine eligibility for the program. The notice must be emailed at least thirty (30) days in advance of the regular mailing of any packet of materials for redetermination of eligibility. The email notice is required only when the department has an email address for the enrollee or the parent or guardian of the enrollee.

SECTION 2. This act shall take effect July 1, 2018, the public welfare requiring it.

On motion, Amendment No. 1 was adopted.

Senator Crowe moved to amend as follows:

AMENDMENT NO. 2

AMEND by removing the second sentence of the amendatory language of Section 1.

On motion, Amendment No. 2 was adopted.

Thereupon, **Senate Bill No. 2312**, as amended, passed its third and final consideration by the following vote:

Ayes 31
Noes 0

Senators voting aye were: Bailey, Bell, Bowling, Briggs, Crowe, Gardenhire, Green, Gresham, Haile, Harris, Hensley, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg, Massey, Niceley, Norris, Pody, Reeves, Roberts, Southerland, Stevens, Swann, Tate, Watson, Yager, Yarbro and Mr. Speaker McNally--31.

A motion to reconsider was tabled.

Senate Bill No. 2343 -- Housing -- As introduced, redefines "affordable housing" and "workforce housing" for purposes of specifying types of housing for which a county legislative body is authorized to appropriate funds. Amends TCA Title 5, Chapter 9.

Senator Norris declared Rule 13 on **Senate Bill No. 2343**.

Senator Yager moved to amend as follows:

AMENDMENT NO. 1

AMEND by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 5-9-113, is amended by deleting the section and substituting instead the following:

(a) The county legislative body of any county with a metropolitan government and a population not less than five hundred thousand (500,000), according to the 2010 federal census or any subsequent federal census, is authorized to appropriate funds for affordable housing or workforce housing.

(b) As used in this section:

(1) "Affordable housing" means housing that, on an annual basis, costs thirty percent (30%) or less than the estimated median household income for households earning sixty percent (60%) or less of the area median income for the Nashville-Davidson County metropolitan statistical area as determined by the United States department of housing and urban development, adjusted for family size; and

(2) "Workforce housing" means housing that, on an annual basis, costs thirty percent (30%) or less than the estimated median household income for households earning more than sixty percent (60%) and not to exceed one hundred twenty percent (120%) of the area median income for the Nashville-Davidson County metropolitan statistical area as determined by the United States department of housing and urban development, adjusted for family size.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Amendment No. 1 was adopted.

Thereupon, **Senate Bill No. 2343**, as amended, passed its third and final consideration by the following vote:

Ayes 32
Noes 0

Senators voting aye were: Bailey, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Green, Gresham, Haile, Harris, Hensley, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg, Massey, Niceley, Norris, Pody, Reeves, Roberts, Southerland, Stevens, Swann, Tate, Watson, Yager, Yarbrow and Mr. Speaker McNally--32.

A motion to reconsider was tabled.

Senate Bill No. 2358 -- Consumer Protection -- As introduced, requires the division of consumer affairs of the department of commerce and insurance to study the consumer protection needs of the state and report its findings to the commerce and labor committee of the senate and

the consumer and human resources committee of the house of representatives; requires the division to report its findings no later than January 15, 2019, and include recommendations for changes to existing law. Amends TCA Title 47.

On motion, Senate Bill No. 2358 was made to conform with **House Bill No. 2387**.

On motion, House Bill No. 2387, on same subject, was substituted for Senate Bill No. 2358.

On motion of Senator Johnson, Amendment No. 1 was withdrawn.

Thereupon, **House Bill No. 2387** passed its third and final consideration by the following vote:

Ayes	32
Noes	0

Senators voting aye were: Bailey, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Green, Gresham, Haile, Harris, Hensley, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg, Massey, Niceley, Norris, Pody, Reeves, Roberts, Southerland, Stevens, Swann, Tate, Watson, Yager, Yarbrow and Mr. Speaker McNally--32.

A motion to reconsider was tabled.

Senate Bill No. 2465 -- Professions and Occupations -- As introduced, enacts the "Fresh Start Act" to require that denials and refusals to renew occupational and professional licenses based on a criminal conviction must only occur when the offense relates to the offender's ability to perform the occupation or profession. Amends TCA Title 62, Chapter 76, Part 1 and Title 63, Chapter 1.

Senator Johnson moved to amend as follows:

AMENDMENT NO. 1

AMEND by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. This act shall be known and may be cited as the "Fresh Start Act."

SECTION 2. Tennessee Code Annotated, Title 62, Chapter 76, Part 1, is amended by adding the following as a new, appropriately designated section:

(a) As used in this section, "licensing authority" means any state department, board, commission, or agency that issues any license, certificate, or registration for an individual to engage in an occupation, profession, business, or trade in this state, including to those licensing authorities that have statutory authority to deny, suspend, or revoke a license for felonies or misdemeanors of moral turpitude.

(b)(1) Subject to the exemptions in this section and unless prohibited by federal law, a licensing authority shall not deny an application for a license, certificate, or registration, or refuse to renew a license, certificate, or registration due to a prior criminal conviction that does not directly relate to the applicable occupation, profession, business, or trade.

(2) Prior to denying an application for a license, certificate, or registration on the basis of a criminal conviction, or prior to the refusal to renew a license, certificate, or registration, on the basis of a criminal conviction, the licensing authority shall notify the applicant, licensee, certificate holder, or registrant of the licensing authority's determination in writing via certified mail, facsimile transmission, or email. The written notification shall include the licensing authority's justification for denial or refusal to renew in accordance to subdivision (b)(4)(A). The determination must state the earliest date upon which the applicant is eligible to reapply for the license, certificate, or registration.

(3) Prior to submitting the application necessary to obtain a license, certificate, or registration, an individual may request written notice from the licensing authority from which they seek to obtain a license, certification, or registration concerning the individual's qualification to obtain the license, certification, or registration based on the individual's criminal history. If the licensing authority determines that an individual is disqualified due to the individual's criminal history, the licensing authority must provide the individual with a written notification that sets forth the reasons for its determination and its justification in accordance with subdivision (b)(4)(A). The written notice as to the individual's qualifications to obtain a license, certification, or registration must be limited to the individual's criminal history and should not be construed as prohibiting the licensing authority from denying an application on other grounds. This determination shall apply exclusively to the individual and shall not be construed as an advisory or formal opinion of the licensing authority.

(4)(A) In considering whether to deny an application for a license, certificate, or registration to an applicant, or whether to refuse to renew a license, certificate, or registration, on the basis of a criminal conviction, the licensing authority must consider:

(i) The nature and seriousness of the crime for which the individual was convicted;

(ii) The length of time since the commission of the crime;

(iii) The relationship between the nature of the crime and the purposes of regulating the occupation, profession, business, or trade for which the license, certificate, or registration is sought;

(iv) The relationship between the crime and the ability, capacity, and fitness required to perform the duties and discharge the responsibilities of the occupation, profession, business, or trade;

(v) Any evidence of rehabilitation or treatment undertaken by the individual that might mitigate against the relationship of crime to the occupation, profession, business, or trade; and

(vi) Any applicable federal laws regarding an individual's participation in the occupation, profession, business, or trade.

(B) If an applicant, licensee, certificate holder, or registrant's prior conviction was for a Class A felony, Class B felony, or Class C felony not defined under title 39, chapter 17, part 4, or if the felony conviction is for an offense for which the offender is required to register under the Tennessee Animal Abuser Registration Act, compiled in title 40, chapter 39, part 1; the Tennessee Sexual Offender and Violent Sexual Offender Registration, Verification and Tracking Act of 2004, compiled in title 40, chapter 39, part 2; or title 40, chapter 39, part 3, there shall be a rebuttable presumption that the conviction relates to the fitness of the applicant, licensee, certificate holder, or registrant engaged in the applicable occupation, profession, business, or trade.

(c) An individual, applicant, licensee, certificate holder, or registrant who receives written notice pursuant to subdivision (b)(2) or (b)(3) may file a petition within thirty (30) business days of the receipt of the notice in Davidson County chancery court. The licensing authority must demonstrate by a preponderance of the evidence that the individual, applicant, licensee, certificate holder, or registrant's conviction is related to the applicable occupation, profession, business, or trade.

(d) Nothing in this section shall be construed to prohibit a licensing authority created by this title from issuing a restricted or conditional license, if otherwise authorized to do so under law.

(e) Nothing in this section shall be construed to create a separate right to a contested case hearing that does not otherwise exist relative to the denial of the license, certificate, or registration under the Uniform Administrative Procedures Act, compiled in title 4, chapter 5.

(f) Nothing in this section applies to:

(1) The board of law examiners, created under § 23-1-101;

(2) The board of judicial conduct, created under § 17-5-201;

(3) The licensure of services and facilities operated pursuant to title 33, chapter 2, part 4, for the provision of mental health services, alcohol, and drug abuse prevention or treatment; for the provision of services for intellectual and developmental disabilities; and for personal support services;

(4) The certification of police officers under title 38, chapter 8;

(5) Any licensing authority created under titles 41, 48, 49, 56, and 71;

(6) The department of financial institutions, when acting as a licensing authority pursuant to title 45;

(7) Any license, certificate, or registration issued pursuant to the rules of the supreme court;

(8) The licensure of pain management clinics licensed pursuant to title 63, chapter 1, part 3; and

(9) The licensure of physicians under title 63, chapter 6 or 9.

SECTION 3. Tennessee Code Annotated, Title 63, Chapter 1, Part 1, is amended by adding the following as a new section:

(a) As used in this section, "licensing authority" means any state department, board, commission, or agency that issues any license, certificate, or registration for an individual to engage in an occupation, profession, business, or trade in this state, including to those licensing authorities that have statutory authority to deny, suspend, or revoke a license for felonies or misdemeanors of moral turpitude.

(b)(1) Subject to the exemptions in this section and unless prohibited by federal law, a licensing authority shall not deny an application for a license, certificate, or registration, or refuse to renew a license, certificate, or registration due to a prior criminal conviction that does not directly relate to the applicable occupation, profession, business, or trade.

(2) Prior to denying an application for a license, certificate, or registration on the basis of a criminal conviction, or prior to the refusal to renew a license, certificate, or registration on the basis of a criminal conviction, the licensing authority shall notify the applicant, licensee, certificate holder, or registrant of the licensing authority's determination in writing via certified mail, facsimile transmission, or email. The written notification shall include the licensing authority's justification for denial or refusal to renew in accordance to subdivision (b)(4)(A). The determination must state the earliest date upon which the applicant is eligible to reapply for the license, certificate, or registration.

(3) Prior to submitting the application necessary to obtain a license, certification, or registration an individual may request written notice from the licensing authority from which they seek to obtain a license, certification, or registration concerning the individual's qualification to obtain the license, certificate, or registration, based on the individual's criminal history. If the licensing authority determines that an individual is disqualified due to the individual's criminal history, the licensing authority must provide the individual with a written notification that sets forth the reasons for its determination and its justification in accordance with subdivision (b)(4)(A). The written notice as to the individual's qualifications to obtain a license, certificate, or registration must be limited to the individual's criminal history and should not be construed as prohibiting the licensing authority from denying an application on other grounds. This determination shall apply exclusively to the individual and shall not be construed as an advisory or formal opinion of the licensing authority.

(4)(A) In considering whether to deny an application for a license, certificate, or registration to an applicant, or whether to refuse to renew a license, certificate, or registration, on the basis of a criminal conviction, the licensing authority must consider:

(i) The nature and seriousness of the crime for which the individual was convicted;

(ii) The length of time since the commission of the crime;

(iii) The relationship between the nature of the crime and the purposes of regulating the occupation, profession, business, or trade for which the license, certificate, or registration is sought;

(iv) The relationship between the crime and the ability, capacity, and fitness required to perform the duties and discharge the responsibilities of the occupation, profession, business, or trade;

(v) Any evidence of rehabilitation or treatment undertaken by the individual that might mitigate against the relationship of crime to the occupation, profession, business, or trade; and

(vi) Any applicable federal laws regarding an individual's participation in the occupation, profession, business, or trade.

(B) If an applicant, licensee, certificate holder, or registrant's prior conviction was for a Class A felony, Class B felony, or Class C felony not defined under title 39, chapter 17, part 4, or if the felony conviction is for an offense for which the offender is required to register under the Tennessee Animal Abuser Registration Act, compiled in title 40, chapter 39, part 1; the Tennessee Sexual Offender and Violent Sexual Offender Registration, Verification and Tracking Act of 2004, compiled in title 40, chapter 39, part 2; or title 40, chapter 39, part 3, there shall be a rebuttable presumption that the conviction relates to the fitness of the applicant, licensee, certificate holder, or registrant engaged in the applicable occupation, profession, business, or trade.

(c) An individual, applicant, licensee, certificate holder, or registrant who receives written notice pursuant to subdivision (b)(2) or (b)(3) may file a petition within thirty (30) business days of the receipt of the notice in Davidson County chancery court. The licensing authority must demonstrate by a preponderance of the evidence that the individual, applicant, licensee, certificate holder, or registrant's conviction is related to the applicable occupation, profession, business, or trade.

(d) Nothing in this section shall be construed to prohibit a licensing authority created by this title from issuing a restricted or conditional license, if otherwise authorized to do so under law.

(e) Nothing in this section shall be construed to create a separate right to a contested case hearing that does not otherwise exist relative to the denial of the license, certificate, or registration under the Uniform Administrative Procedures Act, compiled in title 4, chapter 5.

(f) Nothing in this section applies to:

- (1) The board of law examiners, created under § 23-1-101;
- (2) The board of judicial conduct, created under § 17-5-201;
- (3) The licensure of services and facilities operated pursuant to title 33, chapter 2, part 4, for the provision of mental health services, alcohol, and drug abuse prevention or treatment; for the provision of services for intellectual and developmental disabilities; and for personal support services;
- (4) The certification of police officers under title 38, chapter 8;
- (5) Any licensing authority created under titles 41, 48, 49, 56, and 71;
- (6) The department of financial institutions, when acting as a licensing authority pursuant to title 45;
- (7) Any license, certificate, or registration issued pursuant to the rules of the supreme court;
- (8) The licensure of pain management clinics licensed pursuant to title 63, chapter 1, part 3; and
- (9) The licensure of physicians under title 63, chapter 6 or 9.

SECTION 4. This act shall take effect July 1, 2018, the public welfare requiring it.

On motion, Amendment No. 1 was adopted.

Thereupon, **Senate Bill No. 2465**, as amended, passed its third and final consideration by the following vote:

Ayes	32
Noes	0

Senators voting aye were: Bailey, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Green, Gresham, Haile, Harris, Hensley, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg, Massey, Niceley, Norris, Pody, Reeves, Roberts, Southerland, Stevens, Swann, Tate, Watson, Yager, Yarbrow and Mr. Speaker McNally--32.

A motion to reconsider was tabled.

Senate Bill No. 2466 -- Professions and Occupations -- As introduced, creates a voluntary certification process for persons who obtain at least 50 hours of training and pass an exam in order to use the title "certified animal massage therapist"; noncertified persons can perform animal massage therapy but cannot use the title; anyone who practices animal massage therapy must post a \$25,000 bond. Amends TCA Title 63, Chapter 12.

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On motion, Senate Bill No. 2466 was made to conform with **House Bill No. 2080**.

On motion, House Bill No. 2080, on same subject, was substituted for Senate Bill No. 2466.

On motion of Senator Johnson, Amendment No. 1 was withdrawn.

On motion of Senator Roberts, Amendment No. 2 was withdrawn.

Thereupon, **House Bill No. 2080** passed its third and final consideration by the following vote:

Ayes	32
Noes	0

Senators voting aye were: Bailey, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Green, Gresham, Haile, Harris, Hensley, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg, Massey, Niceley, Norris, Pody, Reeves, Roberts, Southerland, Stevens, Swann, Tate, Watson, Yager, Yarbrow and Mr. Speaker McNally--32.

A motion to reconsider was tabled.

Senate Bill No. 2583 -- Motor Vehicles -- As introduced, enhances the penalty for installing any object in lieu of an airbag that meets federal safety regulations from a Class A misdemeanor to a Class E felony; creates a Class E felony for selling, manufacturing, distributing, or importing a counterfeit supplemental restraint system component, such as an airbag. Amends TCA Title 39 and Title 55.

Senator Bailey moved to amend as follows:

AMENDMENT NO. 1

AMEND by deleting subsection (d) of Section 1 and substituting instead the following:

(d) A violation of this section is a Class A misdemeanor.

On motion, Amendment No. 1 was adopted.

Thereupon, **Senate Bill No. 2583**, as amended, passed its third and final consideration by the following vote:

Ayes	32
Noes	0

Senators voting aye were: Bailey, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Green, Gresham, Haile, Harris, Hensley, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg, Massey, Niceley, Norris, Pody, Reeves, Roberts, Southerland, Stevens, Swann, Tate, Watson, Yager, Yarbrow and Mr. Speaker McNally--32.

A motion to reconsider was tabled.

Senate Joint Resolution No. 546 -- General Assembly, Confirmation of Appointment -- Kay Kelsey, State Textbook and Instructional Materials Quality Commission.

Senator Kelsey declared Rule 13 on **Senate Joint Resolution No. 546**.

Senate Joint Resolution No. 546 was adopted by the following vote:

Ayes	30
Noes	0
Present, not voting . . .	1

Senators voting aye were: Bailey, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Green, Gresham, Haile, Harris, Hensley, Jackson, Johnson, Ketron, Kyle, Lundberg, Massey, Niceley, Norris, Pody, Reeves, Roberts, Southerland, Swann, Tate, Watson, Yager, Yarbrow and Mr. Speaker McNally--30.

Senator present and not voting was: Kelsey--1.

A motion to reconsider was tabled.

Senate Bill No. 2662 -- Education, State Board of -- As introduced, designates the state board of education as the regulating authority for the public school athletic events of cross country, football, soccer, volleyball, golf, basketball, bowling, wrestling, baseball, softball, tennis, and track. Amends TCA Title 49, Chapter 1; Title 49, Chapter 2; Title 49, Chapter 3 and Title 49, Chapter 6.

Senator Gresham moved to amend as follows:

AMENDMENT NO. 1

AMEND by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 49, Chapter 6, Part 4, is amended by adding the following language as a new section:

Any voluntary association that establishes and enforces bylaws or rules for interscholastic sports competition for secondary schools in this state shall be subject to an annual audit by the comptroller of the treasury. At the discretion of the comptroller of the treasury, the audit may be prepared by a certified public accountant, a public accountant, or by the department of audit. If the entity fails or refuses to have the audit prepared, the comptroller of the treasury may appoint a certified public accountant or public accountant or direct the department to prepare the audit. The entity shall bear the full costs of the audit.

SECTION 2. This act shall take effect July 1, 2018, the public welfare requiring it.

On motion, Amendment No. 1 was adopted.

Senator Gresham moved to amend as follows:

AMENDMENT NO. 2

AMEND by adding the following as a new section immediately preceding the effective date section and redesignating the effective date section accordingly:

SECTION __. Tennessee Code Annotated, Title 49, Chapter 2, Part 1, is amended by adding the following as a new section:

Public schools, including public charter schools, shall not use public funds to join, become members of, or maintain membership in an association that regulates interscholastic athletics unless the association complies with the open meetings laws, compiled in title 8, chapter 44, part 1.

On motion, Amendment No. 2 was adopted.

Thereupon, **Senate Bill No. 2662**, as amended, passed its third and final consideration by the following vote:

Ayes	32
Noes	0

Senators voting aye were: Bailey, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Green, Gresham, Haile, Harris, Hensley, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg, Massey, Niceley, Norris, Pody, Reeves, Roberts, Southerland, Stevens, Swann, Tate, Watson, Yager, Yarbrow and Mr. Speaker McNally--32.

A motion to reconsider was tabled.

Senator Bailey moved that **Senate Bill No. 2682** be placed on the Calendar for Wednesday, April 4, 2018, which motion prevailed.

Senate Joint Resolution No. 521 -- Constitutional Amendments -- Proposes an amendment to Article III, Section 12 of the Constitution of Tennessee to provide for the exercise of powers and duties of the governor during disability, as amended.

Mr. Speaker McNally declared Rule 13 on **Senate Joint Resolution No. 521**, as amended.

Senator Massey moved that the Clerk read the resolution, as amended, which motion prevailed.

The Clerk read the resolution, for the second time, as amended.

Thereupon, Mr. Speaker McNally declared pursuant to Article XI, Section 3, **Senate Joint Resolution No. 521**, as amended, had been read, for the second time.

Senate Bill No. 272 -- Driver Licenses -- As introduced, requires the department of safety to print the language "NON U.S. CITIZEN" or "ALIEN" on driver licenses, permits, or other forms of identification issued or renewed for a temporary period to persons who are not United States citizens and not lawful permanent residents of the United States. Amends TCA Title 55, Chapter 50.

On motion, Senate Bill No. 272 was made to conform with **House Bill No. 222**.

On motion, House Bill No. 222, on same subject, was substituted for Senate Bill No. 272.

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Senator Bailey moved that Amendment No. 1 be placed behind Amendment No. 3, which motion prevailed.

Senator Watson moved that Amendment No. 2 be placed behind Amendment No. 1, which motion prevailed.

On motion of Senator Watson, Amendment No. 3 was withdrawn.

On motion of Senator Bailey, Amendment No. 1 was withdrawn.

On motion of Senator Watson, Amendment No. 2 was withdrawn.

Thereupon, **House Bill No. 222** passed its third and final consideration by the following vote:

Ayes	27
Noes	3

Senators voting aye were: Bailey, Bell, Bowling, Briggs, Crowe, Gardenhire, Green, Gresham, Haile, Hensley, Jackson, Johnson, Kelsey, Ketron, Lundberg, Massey, Niceley, Pody, Reeves, Roberts, Southerland, Stevens, Swann, Tate, Watson, Yager and Mr. Speaker McNally--27.

Senators voting no were: Harris, Kyle and Yarbrow--3.

A motion to reconsider was tabled.

Senator Lundberg moved that **Senate Bill No. 278** be rereferred to the Committee on Calendar, which motion prevailed.

Senate Bill No. 1607 -- Motor Vehicles, Titling and Registration -- As introduced, authorizes motor vehicle commission to take licensure action against dealer or salesperson who fails to maintain record of customer's liability coverage or proof of financial responsibility whenever temporary plate issued to customer; requires record to be maintained in same manner or period of time as record of issuance of temporary plates. Amends TCA Title 55.

On motion, Senate Bill No. 1607 was made to conform with **House Bill No. 1552**.

On motion, House Bill No. 1552, on same subject, was substituted for Senate Bill No. 1607.

On motion of Senator Bailey, Amendment No. 1 was withdrawn.

Thereupon, **House Bill No. 1552** passed its third and final consideration by the following vote:

Ayes	28
Noes	0

Senators voting aye were: Bailey, Bowling, Briggs, Crowe, Dickerson, Green, Gresham, Haile, Hensley, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg, Massey, Niceley, Norris, Pody, Reeves, Southerland, Stevens, Swann, Tate, Watson, Yager, Yarbrow and Mr. Speaker McNally--28.

A motion to reconsider was tabled.

Senate Bill No. 1655 -- Process, Service of -- As introduced, authorizes, in an action by landlord to repossess landlord's property, service of process on a contractually named party and not just on an adult found in possession of property. Amends TCA Section 29-18-115.

On motion, Senate Bill No. 1655 was made to conform with **House Bill No. 1667**.

On motion, House Bill No. 1667, on same subject, was substituted for Senate Bill No. 1655.

On motion of Senator Kelsey, Amendment No. 1 was withdrawn.

Thereupon, **House Bill No. 1667** passed its third and final consideration by the following vote:

Ayes	31
Noes	0

Senators voting aye were: Bailey, Bell, Bowling, Briggs, Crowe, Dickerson, Green, Gresham, Haile, Harris, Hensley, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg, Massey, Niceley, Norris, Pody, Reeves, Roberts, Southerland, Stevens, Swann, Tate, Watson, Yager, Yarbrow and Mr. Speaker McNally--31.

A motion to reconsider was tabled.

Senate Bill No. 1812 -- Utilities, Utility Districts -- As introduced, makes various changes to the Underground Utility Damage Prevention Act, including authorizing the underground utility damage enforcement board to establish, by rule, best practices for uniform color code and marking and adding another member to the board. Amends TCA Title 65, Chapter 31.

Senator Yager moved to amend as follows:

AMENDMENT NO. 1

AMEND by deleting subdivision (3) in Section 1 and substituting instead the following:

(3) Notwithstanding any law to the contrary, marking methods established by subdivisions (a)(1) and (2) shall be the methods of marking underground facilities in this state.

On motion, Amendment No. 1 was adopted.

Thereupon, **Senate Bill No. 1812**, as amended, passed its third and final consideration by the following vote:

Ayes	30
Noes	0

Senators voting aye were: Bailey, Bell, Bowling, Briggs, Crowe, Dickerson, Green, Gresham, Haile, Harris, Hensley, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg, Massey, Niceley, Norris, Pody, Reeves, Roberts, Southerland, Stevens, Swann, Tate, Watson, Yager and Mr. Speaker McNally--30.

A motion to reconsider was tabled.

Senate Bill No. 1828 -- Livestock -- As introduced, specifies that the Tennessee Commercial Feed Law of 1972 does not prohibit feeding industrial hemp plants to livestock. Amends TCA Title 39; Title 43; Title 44 and Title 63, Chapter 12.

On motion, Senate Bill No. 1828 was made to conform with **House Bill No. 1875**.

On motion, House Bill No. 1875, on same subject, was substituted for Senate Bill No. 1828.

On motion of Senator Southerland, Amendment No. 1 was withdrawn.

On motion of Senator Norris, Amendment No. 2 was withdrawn.

Thereupon, **House Bill No. 1875** passed its third and final consideration by the following vote:

Ayes	30
Noes	0

Senators voting aye were: Bailey, Bell, Bowling, Briggs, Crowe, Dickerson, Green, Gresham, Haile, Harris, Hensley, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg, Massey, Niceley, Norris, Pody, Reeves, Roberts, Southerland, Swann, Tate, Watson, Yager, Yarbrow and Mr. Speaker McNally--30.

A motion to reconsider was tabled.

Senate Bill No. 1914 -- Forests and Forest Products -- As introduced, requires designation of free-use areas where residents can obtain dead timber from state forests for their personal use under certain circumstances. Amends TCA Title 9, Chapter 8; Title 11, Chapter 4; Title 29, Chapter 20 and Title 43.

Senator Southerland moved to amend as follows:

AMENDMENT NO. 1

AMEND by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 11, Chapter 4, Part 8, is amended by adding the following as a new section:

(a) As used in this section, "free-use area" means an area where residents of this state may remove downed and dead timber from a state forest, without cost, for their own personal use as firewood for home heating and cooking; provided, that none of the firewood is offered for sale.

(b) The state forester must designate portions or all of each state forest as free-use areas where such designation is compatible with the comprehensive state forest system plan prepared under § 11-4-802.

(c) Removing downed and dead timber in designated free-use areas shall be in accordance with rules promulgated by the state forester and approved by the commissioner to prevent fires, minimize damage to live trees and other resources, and to avoid confusion and safety risks among users.

(d) The state forester must publish notice of any designation made under subsection (b) on the department's website in a manner approved by the commissioner.

(e) This state and its officers and employees shall not be liable to any person for any personal injury, property damage, or death sustained or caused by an individual while removing downed and dead timber in a designated free-use area unless conduct of the state or a state officer or employee that directly caused the personal injury, property damage, or death was intentional tortious conduct or an act or omission constituting gross negligence.

SECTION 2. For the purpose of promulgating rules, this act shall take effect upon becoming a law, the public welfare requiring it. For all other purposes, this act shall take effect January 1, 2019, the public welfare requiring it.

On motion, Amendment No. 1 was adopted.

Thereupon, **Senate Bill No. 1914**, as amended, passed its third and final consideration by the following vote:

Ayes	32
Noes	0

Senators voting aye were: Bailey, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Green, Gresham, Haile, Harris, Hensley, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg, Massey, Niceley, Norris, Pody, Reeves, Roberts, Southerland, Stevens, Swann, Tate, Watson, Yager, Yarbrow and Mr. Speaker McNally--32.

A motion to reconsider was tabled.

Senate Bill No. 1936 -- Motor Vehicles -- As introduced, prohibits the expenditure of state funds to implement or enforce electronic logging device regulations in this state. Amends TCA Title 4; Title 9 and Title 55.

Senator Norris declared Rule 13 on **Senate Bill No. 1936**.

Senator Bailey moved to amend as follows:

AMENDMENT NO. 1

AMEND by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 55, Chapter 7, Part 1, is amended by adding the following as a new section:

No state funds shall be expended to enforce electronic logging regulations against any motor vehicle transporting nonhazardous materials for farm purposes that does not travel outside the boundaries of the state.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Amendment No. 1 was adopted.

Thereupon, **Senate Bill No. 1936**, as amended, passed its third and final consideration by the following vote:

Ayes	32
Noes	0

Senators voting aye were: Bailey, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Green, Gresham, Haile, Harris, Hensley, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg, Massey, Niceley, Norris, Pody, Reeves, Roberts, Southerland, Stevens, Swann, Tate, Watson, Yager, Yarbrow and Mr. Speaker McNally--32.

A motion to reconsider was tabled.

Senate Bill No. 1945 -- Health Care -- As introduced, changes the definition of "trauma service codes" for purposes of the Tennessee Trauma Center Funding Law of 2007. Amends TCA Section 68-59-102.

On motion, Senate Bill No. 1945 was made to conform with **House Bill No. 1762**.

On motion, House Bill No. 1762, on same subject, was substituted for Senate Bill No. 1945.

On motion of Senator Crowe, Amendment No. 1 was withdrawn.

Thereupon, **House Bill No. 1762** passed its third and final consideration by the following vote:

Ayes	31
Noes	0

Senators voting aye were: Bailey, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Green, Gresham, Haile, Harris, Hensley, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg, Massey, Niceley, Norris, Pody, Reeves, Roberts, Southerland, Swann, Tate, Watson, Yager, Yarbrow and Mr. Speaker McNally--31.

A motion to reconsider was tabled.

Senate Bill No. 1992 -- Public Records -- As introduced, permits a licensed attorney acting on behalf of an employee of the department of correction to inspect the investigative records and reports of the internal affairs division of the department of correction prior to a due process hearing on a disciplinary action against the employee unless inspection is denied by the commissioner prior to the hearing. Amends TCA Title 10 and Title 39.

On motion, Senate Bill No. 1992 was made to conform with **House Bill No. 2014**.

On motion, House Bill No. 2014, on same subject, was substituted for Senate Bill No. 1992.

On motion of Senator Yager, Amendment No. 1 was withdrawn.

Thereupon, **House Bill No. 2014** passed its third and final consideration by the following vote:

Ayes	32
Noes	0

Senators voting aye were: Bailey, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Green, Gresham, Haile, Harris, Hensley, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg, Massey, Niceley, Norris, Pody, Reeves, Roberts, Southerland, Stevens, Swann, Tate, Watson, Yager, Yarbrow and Mr. Speaker McNally--32.

A motion to reconsider was tabled.

Senate Bill No. 2029 -- Education -- As introduced, creates additional privacy protections for students' education and health records; prohibits release of student records in certain circumstances without parents' informed written consent. Amends TCA Title 49.

Senator Gresham moved to amend as follows:

AMENDMENT NO. 1

AMEND by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 49-2-124, is amended by adding the following as new subsections:

(h) An LEA or school shall notify parents or legal guardians prior to any student participating in any mental health screening. The written notice shall include:

- (1) The purpose for the mental health screening;
- (2) The provider or contractor providing the mental health screening;
- (3) The date and time at which the mental health screening is scheduled; and
- (4) The length of time the mental health screening may last.

(i) Pursuant to § 49-1-704, a parent or legal guardian has a right to inspect and review the parent or guardian's child's education records.

SECTION 2. This act shall take effect July 1, 2018, the public welfare requiring it.

On motion, Amendment No. 1 was adopted.

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Senator Green moved that **Senate Bill No. 2029**, as amended, be placed on the Calendar for Wednesday, April 4, 2018, which motion prevailed.

Senator Niceley moved that **Senate Bill No. 2033** be placed on the Calendar for Wednesday, April 4, 2018, which motion prevailed.

Senate Bill No. 2043 -- Utilities, Utility Districts -- As introduced, authorizes the board of commissioners of any utility district in Sullivan County to increase the pay for each commissioner per meeting from \$300 to \$350 by resolution of the board. Amends TCA Title 7, Chapter 82.

Senator Yager moved to amend as follows:

AMENDMENT NO. 1

AMEND by deleting the amendatory language of Section 1 and substituting instead the following:

(5) Notwithstanding this section or any other law to the contrary, the members of the utility district board of commissioners in a census designated place that is the county seat of any county having a population of not less than one hundred fifty-six thousand eight hundred (156,800) nor more than one hundred fifty-six thousand nine hundred (156,900), according to the 2010 federal census or any subsequent federal census, shall serve without compensation for their services, except that by resolution duly adopted by the board of commissioners, each commissioner may receive per diem payments for not more than twelve (12) meetings of the board of commissioners in any calendar year, at rates not greater than three hundred fifty dollars (\$350) per meeting.

On motion, Amendment No. 1 was adopted.

Thereupon, **Senate Bill No. 2043**, as amended, passed its third and final consideration by the following vote:

Ayes	31
Noes	0

Senators voting aye were: Bailey, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Green, Gresham, Haile, Harris, Hensley, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg, Massey, Niceley, Norris, Pody, Reeves, Roberts, Southerland, Stevens, Swann, Watson, Yager, Yarbrow and Mr. Speaker McNally--31.

A motion to reconsider was tabled.

Senate Bill No. 2053 -- Driver Licenses -- As introduced, clarifies that honorably discharged military veterans who elect to indicate their military service on their driver license can provide other official documentation establishing proof of service, including NGB form 22, in addition to the DD 214 form. Amends TCA Title 55, Chapter 50, Part 3.

On motion, Senate Bill No. 2053 was made to conform with **House Bill No. 2047**.

On motion, House Bill No. 2047, on same subject, was substituted for Senate Bill No. 2053.

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On motion of Senator Bailey, Amendment No. 1 was withdrawn.

Thereupon, **House Bill No. 2047** passed its third and final consideration by the following vote:

Ayes 32
Noes 0

Senators voting aye were: Bailey, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Green, Gresham, Haile, Harris, Hensley, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg, Massey, Niceley, Norris, Pody, Reeves, Roberts, Southerland, Stevens, Swann, Tate, Watson, Yager, Yarbrow and Mr. Speaker McNally--32.

A motion to reconsider was tabled.

Senator Niceley moved that **Senate Bill No. 2105** be placed on the Calendar for Wednesday, April 4, 2018, which motion prevailed.

MOTION

Senator Yager moved that Rule 83(8) be suspended for the purpose of placing **Senate Bills Nos. 2557 and 2678** on the calendar for the Committee on State and Local Government for Wednesday, March 28, 2018, which motion prevailed.

NOTICE

REPORT OF THE COMMITTEE ON CALENDAR

The Committee on Calendar recommends that the following annual events be authorized by the General Assembly in accordance with the provisions of Article XI, Section 5 of the Constitution of Tennessee, and pursuant to the Tennessee Nonprofit Gaming Law.

This the 27th day of March, 2018

/s/ Senator Kerry Roberts, Chairperson

**Office of the Secretary of State
Division of Charitable Solicitations, Fantasy Sports, and Gaming
Second Omnibus List of Qualifying Annual Event Applicants
Event Dates 7/1/2017 - 06/30/2018**

Davidson County - Total approved in this County: 1

Cheekwood Botanical Garden and Museum of Art

Event Name Swan Ball
Event Type Raffle
Event Address 1200 Forrest Park Drive, Nashville, TN 37205
Event Date 5/17/2018

Putnam County - Total approved in this County: 1

Cookeville Football Club

Event Name Great Giveaway
Event Type Raffle
Event Address 2223 N Washington Ave., Cookeville, TN 38501
Event Date 4/13/2018

Shelby County - Total approved in this County: 2

Catholic Church of the Incarnation

Event Name Spaghetti Dinner and Auction
Event Type Raffle
Event Address 360 Bray Station Road, Collierville, TN 38017
Event Date 4/21/2018

Houston Choirs Booster Club

Event Name Annual Houston Choirs Booster Club Raffle
Event Type Raffle
Event Address 9755 Wolf River Blvd., Germantown, TN 38139
Event Date 5/3/2018

Williamson County - Total approved in this County: 2

Tennessee Advisory Committee on Arson

Event Name Annual Training Conference
Event Type Raffle
Event Address 1874 McEwen Drive, Franklin, TN 37067
Event Date 5/4/2018

Tennessee Wildlife Resources Foundation, Inc.

Event Name Tennessee Governor's One Shot Turkey Hunt
Event Type Raffle
Event Address 230 Franklin Road, Franklin, TN 37064
Event Date 4/14/2018

Senator Roberts moved that pursuant to Article XI, Section 5 of the Constitution of the State of Tennessee, that the Committee on Calendar's 2017-2018 Second Report on Fantasy Sports, and Charitable Gaming and Qualified Annual Events be adopted and made the action of the Senate, which motion prevailed by the following vote:

Ayes 31
Noes 0

Senators voting aye were: Bailey, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Green, Gresham, Haile, Harris, Hensley, Jackson, Johnson, Kelsey, Ketron, Lundberg, Massey,

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Niceley, Norris, Pody, Reeves, Roberts, Southerland, Stevens, Swann, Tate, Watson, Yager, Yarbrow and Mr. Speaker McNally--31.

RECALL OF BILL

On motion of Mr. Speaker McNally, **Senate Joint Resolution No. 727** was recalled from the Committee on Health and Welfare.

REFERRAL OF BILL

Mr. Speaker McNally moved that Senate Joint Resolution No. 727 be referred to the Committee on Finance, Ways and Means, which motion prevailed.

MOTION

On motion of Senator Watson, his name was added as sponsor of **Senate Bill No. 270**.

On motion of Senators Green and Stevens, their names were added as sponsors of **Senate Bill No. 272**.

On motion of Senator Gardenhire, his name was added as sponsor of **Senate Bill No. 1701**.

On motion of Senator Stevens, his name was added as sponsor of **Senate Bills Nos. 1709, 2148 and 2159**.

On motion of Senators Ketron and Jackson, their names were removed as sponsors of **Senate Bill No. 1720**.

On motion of Senator Bowling, her name was added as sponsor of **Senate Bill No. 1828**.

On motion of Senators Bowling, Crowe and Gresham, their names were added as sponsors of **Senate Bills Nos. 1914 and 1936**.

On motion of Senator Gresham, her name was added as sponsor of **Senate Bills Nos. 2029 and 2170; and Senate Joint Resolution No. 546**.

On motion of Senator Kyle, her name was added as prime sponsor of **Senate Bill No. 2120**.

On motion of Senator Stevens, his name was removed as sponsor of **Senate Bill No. 2120**.

On motion of Senator Crowe, his name was added as sponsor of **Senate Bill No. 2312**.

On motion of Senators Gresham and Kelsey, their names were added as sponsors of **Senate Bill No. 2426**.

On motion of Senators Bowling, Jackson and Norris, their names were added as sponsors of **Senate Bill No. 2465**.

On motion of Senator Green, his name was added as prime sponsor of **Senate Bill No. 2557**.

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On motion of Senator Hensley, his name was removed as sponsor of **Senate Bill No. 2557**.

On motion of Senator Reeves, his name was added as sponsor of **Senate Joint Resolution No. 779**.

On motion of Senator Yarbrow, his name was added as sponsor of **Senate Joint Resolution No. 806**.

ENGROSSED BILLS

March 28, 2018

MR. SPEAKER: Your Deputy Chief Clerk begs leave to report that we have carefully examined: Senate Bills Nos. 1812, 1914, 1936, 2043, 2312, 2343, 2465, 2583 and 2662; and Senate Joint Resolution No. 546; and find same correctly engrossed and ready for transmission to the House.

ALAN WHITTINGTON,
Deputy Chief Clerk

MESSAGE FROM THE HOUSE

March 28, 2018

MR. SPEAKER: I am directed to transmit to the Senate, House Bills Nos. 1320, 1499, 1573, 1576, 1969 and 2035; for the signature of the Speaker.

TAMMY LETZLER,
Chief Clerk

MESSAGE FROM THE HOUSE

March 28, 2018

MR. SPEAKER: I am directed to transmit to the Senate, House Joint Resolutions Nos. 712, 723, 869, 913, 914, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 935, 936, 937, 938, 939, 942, 945, 946, 947, 948, 949, 950 and 951; for the signature of the Speaker.

TAMMY LETZLER,
Chief Clerk

MESSAGE FROM THE HOUSE

March 28, 2018

MR. SPEAKER: I am directed to transmit to the Senate, House Joint Resolutions Nos. 943 and 985, for the signature of the Speaker.

TAMMY LETZLER,
Chief Clerk

SIGNED

March 28, 2018

The Speaker announced that he had signed the following: Senate Bills Nos. 574, 1471, 1503, 1532, 1538, 1558, 1563, 1565, 1570, 1593, 1615, 1675, 1724, 1745, 1757, 1805, 1814, 1905,

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1924, 1925, 1967, 1977, 2003, 2046, 2098, 2150, 2193, 2264, 2244, 2256, 2425, 2494, 2508, 2648, 2679 and 2685; and House Bills Nos. 1143, 1503, 1562, 1566, 1735 and 1927.

SIGNED

March 28, 2018

The Speaker announced that he had signed the following: House Joint Resolutions Nos. 712, 723, 869, 913, 914, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 935, 936, 937, 938, 939, 942, 943, 945, 946, 947, 948, 949, 950, 951 and 985.

REPORT OF DEPUTY CHIEF CLERK

March 28, 2018

MR. SPEAKER: Your Deputy Chief Clerk begs leave to report that we have transmitted to the Governor the following: Senate Joint Resolutions Nos. 535, 725, 728, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750 and 751; for his action.

ALAN WHITTINGTON,
Deputy Chief Clerk

ADJOURNMENT

Senator Norris moved the Senate adjourn until 8:30 a.m., Thursday, March 29, 2018, which motion prevailed.